

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**PAUL H. LEWIS and
SHEILA A. LEWIS**

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 4:04CV193-P-B

**UNITED STATES DEPARTMENT
OF AGRICULTURE**

DEFENDANT

FINAL JUDGMENT

This cause came on for hearing on the parties' cross motions for summary judgment [10-1] and [12-1]. The Court, having considered the motions and being otherwise fully advised in the premises, finds as follows, to-wit:

In accordance with the Memorandum Opinion entered this day, the Court finds that the plaintiff's motion is well-taken and should be sustained only as to loan number 44-05. The defendant's motion is well-taken and should be sustained.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiffs' Motion for Summary Judgment [10-1] should be, and hereby is, GRANTED IN PART and DENIED IN PART. The defendant's Motion for Summary Judgment is well-taken and should be, and hereby is, GRANTED. IT IS FURTHER ORDERED that the applicable statutes of limitations have run as to loan number 44-05. IT IS FURTHER ORDERED AND ADJUDGED that the six year statute of limitations under 28 U.S.C. § 2415(a) has run only as to the January 1, 1988-January 1, 2000 installment payments for loan number 44-06. IT IS FURTHER ORDERED AND ADJUDGED that the ten year statute of limitations under 31 U.S.C. § 3716(e) has run only as to January 1, 1988-

January 1, 1996 installments of loan number 44-06. IT IS FURTHER ORDERED AND ADJUDGED that the defendant is hereby enjoined from engaging in any collection activities, including but not limited to offset, seizure of plaintiffs' income tax refunds and Social Security benefits, with regard to any indebtedness of the plaintiffs as to which the statute of limitations has expired. IT IS FURTHER ORDERED AND ADJUDGED that this case should be, and hereby is, DISMISSED WITH PREJUDICE, each party to bear its own costs.

This, the 15th day of February, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE